


| TRANSMITTAL OF PAYMENT OF ISSUE FEE (Large Entity) (37 C.F.R. 1.311) | | | | Docket No. 15436.54.1 | |
|--|---------------------------------|--------------------------|------------------------|--------------------------|--------------------------|
| Applicant(s): William Freeman et al. | | | | | |
| Application No. 10/688,356 | Filing Date October 17, 2003 | Examiner Tuyen Q. Tra | Customer No. 022913 | Group Art Unit 2873 | Confirmation No. 2295 |
| Invention: VARIABLE ELECTROCHROMIC OPTICAL ATTENUATOR | | | | | |
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|  Signature | | Dated: March 9, 2006 | | | |
| ERIC L. MASCHOFF Attorney for Applicants Registration No. 36,596 | | | | | |
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FAX TRANSMISSION COVER SHEET

Date: March 9, 2006
To: United States Patent & Trademark Office
ISSUE FEE
Art Unit 2873
Examiner Tuyen Q. Tra
Fax: 571-273-2885
Phone:
From: Mandy Lomeli for Eric L. Maschoff
Re: Application Serial No. 10/688,356
Our File No. 15436.54.1

YOU SHOULD RECEIVE 6 PAGE(S), INCLUDING THIS COVER SHEET. IF
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Comments:

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|---|---------------------------------|--------------------------|------------------------|
| Applicant(s): William Freeman et al. | | | 15436.54.1 |
| Application No. 10/688,356 | Filing Date October 17, 2003 | Examiner Tuyen Q. Tra | Group Art Unit 2873 |
| Invention: VARIABLE ELECTROCHROMIC OPTICAL MODULATOR | | | |
| <p>I hereby certify that this _____ See below* (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-2885)</p> <p>on <u>March 9, 2006</u> (Date)</p> <p>_____ Mandy Lomeli (Typed or Printed Name of Person Signing Certificate)</p> <p>_____ (Signature)</p> | | | |
| <p>Note: Each paper must have its own certificate of mailing.</p> <ul style="list-style-type: none">• Transmittal of Payment of Issue Fee (1 pg.)• PTOL-85 Part B Fee Transmittal (1 pg.)• Comments on Examiner's Statement of Reasons for Allowance (1 pg.)• PTO-2038 Credit Card Form in amount of \$1,403.00 (1 pg.)• Certificate of Transmission by Facsimile (1 pg.) | | | |

P19/REV02



PATENT APPLICATION
Docket No: 15436.54.1

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William Frecman et al.

Serial No: 10/688,356

Filed: October 17, 2003

For: VARIABLE ELECTROCHROMIC OPTICAL
ATTENUATOR

Examiner: Tuyen Q. Tra

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in the communications mailed on December 15, 2005. The Applicant concurs with the Examiner's conclusion that the prior art does not suggest or render obvious the claimed invention. However, Applicant submits that it is the claim as a whole, rather than any particular limitation, that makes each of the claims in the above-identified application allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that distinguish the claim from the prior art and make it allowable.

Respectfully submitted,

Dated: March 9, 2006

By:

ERIC L. MASCHOFF
Registration No. 36,596
Customer No. 022913

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